

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Small Entity)
(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

First Named Inventor

TOTAL PAGES

DOCKET NO.

David B. Smith

5

MUR-3494

Address to:

Assistant Commissioner for Patents
Box CPA
Washington, D.C. 20231

This is a request for filing a continuation divisional application under 37 CFR 1.53(d), (continued prosecution lication, application (CPA)) of prior application number 08/976,440 filed on November 25, 1997

and entitled:

TRANSMISSION OF DATA IN BOREHOLES

which is a continuation of prior application serial no. 08/813,104; which is a continuation of prior application serial no. 08/687,907; which is a continuation of prior application serial no. 08/544,666; which is a continuation of prior application serial no. 08/030,309

1. Enter the unentered amendment previously filed on _____ under 37 CFR 1.116 in the prior nonprovisional application.

2. A preliminary amendment is enclosed.

3. This application is being filed by less than all the inventors named in the prior application. In accordance with 37 CFR 1.53(d), the Commissioner is requested to delete the name(s) of the following person or persons who were named-as inventors in the prior nonprovisional application but are not inventors of the invention being claimed in this application:

09/21/1998 RM6SAT 00000043 08976440

CH FC:231

395.00 ₦

4. A new power of attorney is enclosed.

5. Small Entity Status:

- a. A small entity statement is enclosed.
- b. A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.

6. The fee for this application is calculated as follows:

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	12	- 20 =	0	x \$11.00	\$0.00
Indep. Claims	2	- 3 =	0	x \$41.00	\$0.00
Multiple Dependent Claims (check if applicable)			<input type="checkbox"/>		\$0.00
				BASIC FEE	\$395.00
				TOTAL FILING FEE	\$395.00

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Small Entity)
(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 18-0350

- fees required under 37 C.F.R. 1.16.
- fees required under 37 C.F.R. 1.17.
- fees required under 37 C.F.R. 1.18.

8. A check in the amount of \$395.00 is enclosed.

9. An Information Disclosure Statement (IDS) is enclosed:

- a. PTO-1449
- b. Copies of IDS Citations

10. Also enclosed:

Request for Extension of Time

11. The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below:

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Small Entity)
(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

NOTES

Submit an original, and a duplicate for processing.

FILING QUALIFICATIONS: The prior application must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. 1.51(b) and filed on or after June 8, 1995, or (2) the national stage of an international application in compliance with 35 U.S.C. 371 and filed on or after June 8, 1995.

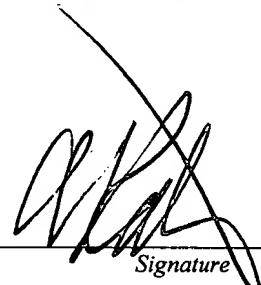
C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. 1.53(d), but must be filed under 37 C.F.R. 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. 1.53(b) must be used to file a continuation, divisional or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the Applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. 1.14 to access to copies of, or information concerning, the prior application may be given similar access to copies of, or similar information concerning, the other application or application in the file jacket.

35 U.S.C. STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. 1.78(a).

Dated: September 15 1998



Signature

Allan Ratner

Typed or printed name

19,717

Registration Number (if applicable)

Inventor(s)
 Assignee of complete interest
 Attorney or agent of record

cc:

CERTIFICATE OF MAILING

"EXPRESS MAIL" (37 CFR 1.10)

Docket No.

Applicant(s): David B. Smith

MUR-3494

Serial No.

08/976,440

Filing Date

11/25/97

Examiner

N. Moskowitz

Group Art Unit

3642

Invention: **TRANSMISSION OF DATA IN BOREHOLES**

SEP 17 1998

RECEIVED
U.S. PATENT & TRADEMARK OFFICE
CUST. & EX. DIV.
SEP 17 1998
EX-121203

I hereby certify that this CPA Request Transmittal with related enclosures
(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under
37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on
September 17, 1998

(Date)

Kathleen Libby

(Typed or Printed Name of Person Mailing Correspondence)

Kathleen Libby

(Signature of Person Mailing Correspondence)

EM009003830US

("Express Mail" Mailing Label Number)

Note: Each paper must have its own certificate of mailing.